

- | | |
|--|--|
| | |
|--|--|
- [Query](#)
 - [Reports](#)
 - [Utilities](#)
 - [Logout](#)

25MAG,CLOSED,STD

**U.S. District Court
DISTRICT OF ARIZONA (Tucson Division)
CIVIL DOCKET FOR CASE #: 4:11-cv-00094-FRZ**

Save the Scenic Santa Ritas et al v. United States Forest Service et al	Date Filed: 02/07/2011
Assigned to: Senior Judge Frank R Zapata	Date Terminated: 01/30/2012
Cause: 05:552 Freedom of Information Act	Jury Demand: None
	Nature of Suit: 895 Freedom of Information Act
	Jurisdiction: U.S. Government Defendant

Plaintiff

Save the Scenic Santa Ritas

represented by **Jeffrey C Parsons**
Western Mining Action Project
P.O. Box 349
Lyons, CO 80540
303-823-5738
Fax: 303-823-5732
Email: wmap@igc.org
ATTORNEY TO BE NOTICED

Roger Flynn
Western Mining Action Project
P.O. Box 349
Lyons, CO 80540
303-823-5738
Fax: 303-823-5732
Email: wmap@igc.org
ATTORNEY TO BE NOTICED

Plaintiff

Center for Biological Diversity

represented by **Jeffrey C Parsons**
(See above for address)
ATTORNEY TO BE NOTICED

Roger Flynn
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

Farmers Water Company

represented by **Dinah Bear ,**
Attorney at Law
4019 18th St. NW

Washington, DC 20011
202-906-9407
Fax:
Email: bear6@verizon.net
ATTORNEY TO BE NOTICED

G Van Velsor Wolf , Jr.
Snell & Wilmer LLP
1 Arizona Ctr., 400 E Van Buren St.
Phoenix, AZ 85004-0001
602-382-6201
Fax: 602-382-6070
Email: vwolf@swlaw.com
ATTORNEY TO BE NOTICED

Jeffrey Lynn Willis
Snell & Wilmer LLP
1 S Church Ave
Ste 1500
Tucson, AZ 85701-1612
520-882-1231
Fax: 520-884-1294
Email: jwillis@swlaw.com
ATTORNEY TO BE NOTICED

Plaintiff

Farmers Investment Company

represented by **Dinah Bear ,**
(See above for address)
ATTORNEY TO BE NOTICED

G Van Velsor Wolf , Jr.
(See above for address)
ATTORNEY TO BE NOTICED

Jeffrey Lynn Willis
(See above for address)
ATTORNEY TO BE NOTICED

V.

Defendant

United States Forest Service

represented by **Charles Alexander Davis**

US Attorneys Office
405 W Congress St., Ste. 4800
Tucson, AZ 85701-5021
520-620-7408
Fax: 520-620-7149
Email: charles.davis2@usdoj.gov
ATTORNEY TO BE NOTICED

Daniel Bensing

US Dept of Justice
Federal Programs Branch
P.O. Box 883, Ben Franklin Station
Washington, DC 20530
202-305-0693
Fax: 202-616-8460
Email: Daniel.Bensing@USDOJ.gov
ATTORNEY TO BE NOTICED

Defendant

James Upchurch

*Supervisor of the Coronado National
Forest*

represented by **Daniel Bensing**

(See above for address)
ATTORNEY TO BE NOTICED

V.

Intervenor Defendant

Rosemont Copper Company

represented by **Norman D James**

Fennemore Craig PC - Phoenix, AZ
3003 N Central Ave., Ste. 2600
Phoenix, AZ 85012
602-916-5000
Fax: 602-916-5546
Email: njames@fclaw.com
ATTORNEY TO BE NOTICED

Todd Christopher Wiley

Fennemore Craig PC - Phoenix, AZ
3003 N Central Ave., Ste. 2600
Phoenix, AZ 85012
602-916-5337
Fax: 602-916-5537
Email: twiley@fclaw.com
ATTORNEY TO BE NOTICED

Amicus

**Barrick North America Holdings
Corporation**

represented by **Joshua S Akbar**

SNR Denton US LLP
2398 E Camelback Rd., Ste. 1100
Phoenix, AZ 85016-9016
602-508-3900
Fax: 602-508-3914
Email: joshua.akbar@snrdenton.com
ATTORNEY TO BE NOTICED

Nicholas C Yost

SNR Denton US LLP

525 Market St., 26th Fl.
San Francisco, CA 94105
415-882-5000
Fax: 415-882-0300
Email: nicholas.yost@snrdenton.com
ATTORNEY TO BE NOTICED

Amicus

ABX Financeco Incorporated

represented by **Joshua S Akbar**
(See above for address)
ATTORNEY TO BE NOTICED

Nicholas C Yost
SNR Denton US LLP
525 Market St., 26th Fl.
San Francisco, CA 94105
415-882-5000
Fax: 415-882-0300
Email: nicholas.yost@snrdenton.com
ATTORNEY TO BE NOTICED

Amicus

Resolution Copper Mining LLC

represented by **Joshua S Akbar**
(See above for address)
ATTORNEY TO BE NOTICED

Nicholas C Yost
(See above for address)
ATTORNEY TO BE NOTICED

Amicus

ARIZONA MINING ASSOCIATION

represented by **Margaret Bushman LaBianca**
Polsinelli Shughart PC
1 E Washington St., Ste. 1200
Phoenix, AZ 85004
602-650-2000
Fax: 602-264-7033
Email: mlabianca@polsinelli.com
ATTORNEY TO BE NOTICED

Amicus

Northwest Mining Association

represented by **Robert D Comer** ,
Faegre & Benson LLP - Denver, CO -
Lincoln St.

1700 Lincoln St., Ste. 3200
Denver, CO 80203
303-607-3812
Fax: 303-607-3600
Email: rcomer@faegre.com
ATTORNEY TO BE NOTICED

Russell Orson Stewart
 Faegre & Bensen LLP - Denver, CO -
 Lincoln St.
 1700 Lincoln St., Ste. 3200
 Denver, CO 80203
 303-607-3688
 Fax: 303-607-3600
 Email: rstewart@faegre.com
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
02/07/2011	<u>1</u>	COMPLAINT. Filing fee received: \$ 350.00, receipt number 0970-4864415, filed by Save the Scenic Santa Ritas, Farmers Investment Company, Center for Biological Diversity, Farmers Water Company. (Wolf, G)***Document not in compliance with Local Rule 7.1(c).*** (Attachments: # <u>1</u> Civil Cover Sheet)(PAA) (Entered: 02/07/2011)
02/07/2011	<u>2</u>	Corporate Disclosure Statement by Farmers Investment Company, Farmers Water Company. (Wolf, G) (PAA) (Entered: 02/07/2011)
02/07/2011	<u>3</u>	Corporate Disclosure Statement by Save the Scenic Santa Ritas. (Wolf, G) (PAA) (Entered: 02/07/2011)
02/07/2011	<u>4</u>	Corporate Disclosure Statement by Center for Biological Diversity. (Wolf, G) (PAA) (Entered: 02/07/2011)
02/07/2011	<u>5</u>	SUMMONS Submitted by Center for Biological Diversity, Farmers Investment Company, Farmers Water Company, Save the Scenic Santa Ritas. (Wolf, G) (Attachments: # <u>1</u> Summons, # <u>2</u> Summons, # <u>3</u> Summons)(PAA) (Entered: 02/07/2011)
02/07/2011	<u>6</u>	Filing fee paid, receipt number 0970-4864415. This case has been assigned to the Honorable Bernardo P Velasco. All future pleadings or documents should bear the correct case number: 4:11-CV-94-TUC-BPV. Magistrate Election form attached. (Attachments: # <u>1</u> Magistrate Form)(PAA) (Entered: 02/07/2011)
02/07/2011	<u>7</u>	Summons Issued as to US Attorney General, US Attorney's Office and all Defendants. (Attachments: # <u>1</u> Summons, # <u>2</u> Summons, # <u>3</u> Summons)(PAA). ***IMPORTANT: When printing the summons, select "Document and stamps" or "Document and comments" for the seal to appear on the document. (Entered: 02/07/2011)

02/08/2011	<u>8</u>	SUMMONS Submitted by Farmers Investment Company. (Wolf, G) (Entered: 02/08/2011)
02/11/2011	9	Agreement to Magistrate Judge Jurisdiction. Party agrees to Magistrate Judge Jurisdiction. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (LMF) (Entered: 02/15/2011)
02/11/2011	10	Agreement to Magistrate Judge Jurisdiction. Party agrees to Magistrate Judge Jurisdiction. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (LMF) (Entered: 02/15/2011)
02/11/2011	11	Agreement to Magistrate Judge Jurisdiction. Party agrees to Magistrate Judge Jurisdiction. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (LMF) (Entered: 02/15/2011)
02/16/2011	<u>12</u>	MOTION for Admission Pro Hac Vice as to attorney Dinah Bear on behalf of Farmers Investment Company, and Farmers Water Company. (BAS) (Entered: 02/16/2011)
02/16/2011		PRO HAC VICE FEE PAID. \$ 50, receipt number PHX106634 as to Dinah Bear. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (BAS) (Entered: 02/16/2011)
02/16/2011	13	ORDER pursuant to General Order 05-25 granting <u>12</u> Motion for Admission Pro Hac Vice.Per the Court's Administrative Policies and Procedures Manual, applicant has five (5) days in which to register as a user of the Electronic Filing System. Registration to be accomplished via the court's website at www.azd.uscourts.gov. (BAS)(This is a TEXT ENTRY ONLY. There is no.pdf document associated with this entry.) (Entered: 02/16/2011)
02/22/2011	<u>14</u>	First MOTION for Admission Pro Hac Vice as to attorney Roger Flynn by Save the Scenic Santa Ritas. (Flynn, Roger) (Entered: 02/22/2011)
02/22/2011	<u>15</u>	First MOTION for Admission Pro Hac Vice as to attorney Jeffrey Parsons by Save the Scenic Santa Ritas. (Parsons, Jeffrey) (Entered: 02/22/2011)
02/22/2011		PRO HAC VICE FEE PAID. \$ 100, receipt number PHX106744 as to Jeffrey C Parsons, Roger Flynn. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (BAS) (Entered: 02/22/2011)

02/22/2011	16	ORDER pursuant to General Order 05-25 granting 14 Motion for Admission Pro Hac Vice; granting 15 Motion for Admission Pro Hac Vice.Per the Court's Administrative Policies and Procedures Manual, applicant has five (5) days in which to register as a user of the Electronic Filing System. Registration to be accomplished via the court's website at www.azd.uscourts.gov. (BAS)(This is a TEXT ENTRY ONLY. There is no.pdf document associated with this entry.) (Entered: 02/22/2011)
02/23/2011	17	Agreement to Magistrate Judge Jurisdiction. Party agrees to Magistrate Judge Jurisdiction. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (SMBE) (Entered: 02/24/2011)
03/03/2011	18	RETURN OF SERVICE of Summons and Complaint served on James Upchurch on 2/8/2011 filed by Farmers Investment Company. (Wolf, G) (Entered: 03/03/2011)
03/03/2011	19	RETURN OF SERVICE of Summons and Complaint served on United States Attorneys Office, District of Arizona on 2/8/2011 filed by Farmers Investment Company. (Wolf, G) (Entered: 03/03/2011)
03/03/2011	20	RETURN OF SERVICE of Summons and Complaint served on Hon. Eric Holder, Jr., US Attorney General on 2/11/2011 filed by Farmers Investment Company. (Wolf, G) (Entered: 03/03/2011)
03/08/2011	21	NOTICE OF ATTORNEY APPEARANCE: Charles A. Davis appearing for United States Forest Service. (Davis, Charles) (Entered: 03/08/2011)
03/08/2011	22	STIPULATION FOR EXTENSION OF TIME TO ANSWER COMPLAINT <i>Stipulation to Set Responsive Pleading Deadline</i> by United States Forest Service. (Attachments: # 1 Text of Proposed Order)(Davis, Charles) (Entered: 03/08/2011)
03/10/2011	23	*First MOTION for Leave to File Excess Pages for Unopposed Motion to Exceed Page Limits by Center for Biological Diversity, Farmers Investment Company, Farmers Water Company, Save the Scenic Santa Ritas. (Wolf, G) *Modified on 3/11/2011, Document not in compliance with LRCiv 7.1(c), Attorney noticed (KAH).* (Entered: 03/10/2011)
03/10/2011	24	*LODGED PROPOSED First MOTION for Preliminary Injunction by Center for Biological Diversity, Farmers Investment Company, Farmers Water Company, Save the Scenic Santa Ritas. (Attachments: # 1 Exhibit Exhibit List, # 2 Exhibit Exhibits 1-8, # 3 Exhibit Exhibits 9-24)(Wolf, G) *Modified on 3/11/2011 from Motion to Lodged Proposed Motion (KAH).* (Entered: 03/10/2011)
03/10/2011	25	ORDER granting 22 Stipulation For Extension of Time To Answer Complaint. IT IS ORDERED that the Defendants have up and through April 8, 2011 tofile a response to the Complaint. Signed by Magistrate Judge Bernardo P Velasco on 03/10/11. (KAH) (Entered: 03/10/2011)

03/11/2011	26	LODGED Proposed Unopposed Motion to Exceed Page Limits re: 24 First MOTION for Preliminary Injunction. Document to be filed by Clerk if Motion to Leave to File or Amend is granted. Filed by Center for Biological Diversity, Farmers Investment Company, Farmers Water Company, Save the Scenic Santa Ritas. (Wolf, G) (Entered: 03/11/2011)
03/15/2011	27	*NOTICE of Appearance by Daniel Bensing on behalf of United States Forest Service, James Upchurch (Bensing, Daniel) *Modified on 3/16/2011, Document filed without signature. Attorney noticed to refile (KAH).* (Entered: 03/15/2011)
03/16/2011	28	NOTICE TO FILER OF DEFICIENCY re 27 Notice of Appearance filed by United States Forest Service, James Upchurch. Description of deficiency: Document filed without a signature. (KAH) (Entered: 03/16/2011)
03/18/2011	29	Magistrate Election Form Deadline (Attachments: # 1 Instructions)(LMF) (Entered: 03/18/2011)
03/18/2011	30	NOTICE of Appearance by Daniel Bensing on behalf of United States Forest Service, James Upchurch (Bensing, Daniel) (Entered: 03/18/2011)
03/21/2011	31	MOTION to Intervene by Rosemont Copper Company. (James, Norman) (Entered: 03/21/2011)
03/21/2011	32	LODGED Proposed Answer of Rosemont Copper Company re: 31 MOTION to Intervene. Document to be filed by Clerk if Motion to Leave to File or Amend is granted. Filed by Rosemont Copper Company. (James, Norman) (Entered: 03/21/2011)
03/21/2011	33	DECLARATION of James Sturgess re 31 MOTION to Intervene by Intervenor Defendant Rosemont Copper Company. (James, Norman) (Entered: 03/21/2011)
03/21/2011	34	Agreement to Magistrate Judge Jurisdiction. Party agrees to Magistrate Judge Jurisdiction. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (SMBE) (Entered: 03/22/2011)
03/24/2011	35	*RESPONSE to Motion re 31 MOTION to Intervene filed by Center for Biological Diversity, Farmers Investment Company, Farmers Water Company. (Attachments: # 1 Exhibit)(Wolf, G) *Modified on 3/25/2011. Document not in compliance with LRCiv 7.1(c). Attorney noticed (KAH).* (Entered: 03/24/2011)
03/25/2011	36	ORDER REASSIGNING CASE to the Honorable Frank R. Zapata. The parties are advised that all future pleadings or documents must bear the following case number: CV 11-00094-TUC-FRZ. Signed by Magistrate Judge Bernardo P Velasco on 03/24/11. (KAH) (Entered: 03/25/2011)

04/08/2011	37	MOTION for Preliminary Injunction by Center for Biological Diversity, Farmers Investment Company, Farmers Water Company, Save the Scenic Santa Ritas. (Attachments: # 1 Exhibit List, # 2 Exhibits 1-8, # 3 Exhibits 9-24)(KAH) (Entered: 04/08/2011)
04/08/2011	38	ORDER, 23 First MOTION for Leave to File Excess Pages and 31 MOTION to Intervene are granted. IT IS FURTHER ORDERED that the Defendants' response to Plaintiffs' Motion for Preliminary Injunction shall be filed on or before 4/11/11 and Plaintiffs shall have until and including 5/3/11 to file a reply. Motion Hearing on 37 MOTION for Preliminary Injunction set for 6/2/2011 at 10:00AM before Senior Judge Frank R Zapata. Signed by Senior Judge Frank R Zapata on 4/7/11. (See attached PDF for complete information.)(KAH) (Entered: 04/08/2011)
04/08/2011	39	ANSWER to 1 Complaint, by Rosemont Copper Company.(KAH) (Entered: 04/08/2011)
04/08/2011	40	Consent MOTION for Extension of Time to File Response/Reply as to 37 MOTION for Preliminary Injunction by United States Forest Service, James Upchurch. (Bensing, Daniel) (Entered: 04/08/2011)
04/08/2011	41	ANSWER to 1 Complaint, by United States Forest Service, James Upchurch. (Bensing, Daniel) (Entered: 04/08/2011)
04/11/2011	42	ORDER granting 40 Motion for Extension of Time to File Response/Reply re 37 MOTION for Preliminary Injunction. Defendants' response to Plaintiffs' Motion for Preliminary Injunction shall be filed on or before April 18, 2011;IT IS FURTHER ORDERED that Plaintiffs' shall have until and including May 3,2011 to file a reply. Signed by Senior Judge Frank R Zapata on 4/11/11.(KAH) (Entered: 04/11/2011)
04/18/2011	43	Consent MOTION for Leave to File Excess Pages for Opposition to Motion for Preliminary Injunction by United States Forest Service, James Upchurch. (Bensing, Daniel) (Entered: 04/18/2011)
04/18/2011	44	RESPONSE to Motion re 37 MOTION for Preliminary Injunction filed by Rosemont Copper Company. (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit Exhibit F (part 1), # 5 Exhibit Exhibit F (part 2), # 6 Exhibit Exhibit F (part 3) (James, Norman) (Entered: 04/18/2011)
04/18/2011	45	DECLARATION of Gordon L. Cheniae re 44 Response to Motion, <i>for Preliminary Injunction</i> by Intervenor Defendant Rosemont Copper Company. (James, Norman) (Entered: 04/18/2011)
04/18/2011	46	DECLARATION of James Sturgess re 44 Response to Motion, <i>for Preliminary Injunction</i> by Intervenor Defendant Rosemont Copper Company. (Attachments: # 1 Exhibit, # 2 Exhibit)(James, Norman) (Entered: 04/18/2011)

04/18/2011	47	*RESPONSE in Opposition re 37 MOTION for Preliminary Injunction filed by United States Forest Service, James Upchurch. (Attachments: # 1 Affidavit, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit, # 5 Exhibit, # 6 Exhibit, # 7 Exhibit, # 8 Exhibit) (Bensing, Daniel) *Modified on 4/19/2011, Document not in compliance with LRCiv 7.1(c), Attorney noticed. Modified on 4/19/2011,(KAH/SF).* (Entered: 04/18/2011)
04/18/2011	48	MOTION for Leave to File Brief of <i>Amici Curiae</i> Barrick North America Holdings Corporation, ABX Financeco, Inc., and Resolution Copper Mining, LLC in Support of Defendants' Opposition to Plaintiffs' Motion for Preliminary Injunction by Barrick North America Holdings Corporation, ABX Financeco, Inc., Resolution Copper Mining, LLC. (Attachments: # 1 Text of Proposed Order)(Akbar, Joshua) (Entered: 04/18/2011)
04/18/2011	49	LODGED Proposed Brief re: 48 MOTION for Leave to File Brief of <i>Amici Curiae</i> Barrick North America Holdings Corporation, ABX Financeco, Inc., and Resolution Copper Mining, LLC in Support of Defendants' Opposition to Plaintiffs' Motion for Preliminary Injunction. Document to be filed by Clerk if Motion to Leave to File or Amend is granted. Filed by ABX Financeco, Inc., Barrick North America Holdings Corporation, Resolution Copper Mining, LLC. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C)(Akbar, Joshua) (Entered: 04/18/2011)
04/19/2011	50	ORDER granting 43 Motion for Leave to File Excess Pages. IT IS HEREBY ORDERED that the Federal Defendants and Intervenor-Defendant Rosemont Copper Company are granted leave to file responses to Plaintiffs Motion for Preliminary Injunction in opposition of 26 pages and 22 pages, respectively. Signed by Senior Judge Frank R Zapata on 4/18/11.(KAH) (Entered: 04/19/2011)
04/19/2011	51	ORDER, Mr. Wolf and Attorney Dinah Bear are counsel of record and represent Farmers Investment Company and Farmers Water Company only. The Clerk of the Court is directed to correct this error on the docket. Signed by Senior Judge Frank R Zapata on 4/19/11. (KAH) (Entered: 04/19/2011)
04/21/2011	52	STIPULATION TO EXCEED PAGE LIMIT ON REPLY BRIEF AND TO EXTEND TIME TO FILE REPLY by Center for Biological Diversity, Farmers Investment Company, Farmers Water Company, Save the Scenic Santa Ritas. (Attachments: # 1 Text of Proposed Order)(Wolf, G) (Entered: 04/21/2011)
04/28/2011	53	MOTION for Admission Pro Hac Vice as to attorney Nicholas C Yost on behalf of Barrick North America Holdings Corporation. (BAS) (Entered: 04/28/2011)
04/28/2011		PRO HAC VICE FEE PAID. \$ 50, receipt number PHX109091 as to Nicholas C Yost. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (BAS) (Entered: 04/28/2011)

04/28/2011	54	ORDER pursuant to General Order 05-25 granting 53 Motion for Admission Pro Hac Vice.Per the Court's Administrative Policies and Procedures Manual, applicant has five (5) days in which to register as a user of the Electronic Filing System. Registration to be accomplished via the court's website at www.azd.uscourts.gov. (BAS)(This is a TEXT ENTRY ONLY. There is no.pdf document associated with this entry.) (Entered: 04/28/2011)
05/10/2011	55	NOTICE of Appearance by Nicholas C Yost on behalf of ABX Financeco Incorporated, Barrick North America Holdings Corporation, Resolution Copper Mining LLC (Yost, Nicholas) (Entered: 05/10/2011)
05/10/2011	56	MOTION <i>for Leave to Present Oral Argument in Support of Brief of Amici Curiae at Preliminary Injunction Hearing</i> by ABX Financeco Incorporated, Barrick North America Holdings Corporation, Resolution Copper Mining LLC. (Attachments: # 1 Text of Proposed Order)(Yost, Nicholas) (Entered: 05/10/2011)
05/13/2011	57	*Proposed Pretrial Order <i>Granting Plaintiffs' Motion for Preliminary Injunction</i> by Center for Biological Diversity, Farmers Investment Company, Farmers Water Company. (Wolf, G) *Modified on 5/16/2011, Document not in compliance with LRCiv 7.1(c). Attorney noticed (KAH).* (Entered: 05/13/2011)
05/13/2011	58	REPLY to Response to Motion re 37 MOTION for Preliminary Injunction filed by Center for Biological Diversity, Farmers Investment Company, Farmers Water Company. (Attachments: # 1 Exhibit)(Wolf, G) (Entered: 05/13/2011)
05/16/2011	59	ORDER granting 48 Motion for Leave to File Brief of Amici Curiae; granting 56 Motion for Leave to Present Oral Argument in Support of Brief of Amici Curiae at Preliminary Injunction Hearing. The Clerk is directed to file the Brief of Amici Curiae (Doc. 49). Signed by Senior Judge Frank R Zapata on 5/13/11. (See attached PDF for complete information.)(KAH) (Entered: 05/16/2011)
05/16/2011	60	BRIEF of Amici Curiae Barrick North America Holdings Corporation, ABX Financeco, Inc., and Resolution Copper Mining, LLC in Support of Defendants' Opposition to Plaintiffs' Motion for Preliminary Injunction by Amicus Parties ABX Financeco Incorporated, Barrick North America Holdings Corporation, Resolution Copper Mining LLC. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C) (KAH) (Entered: 05/16/2011)
05/16/2011	61	MOTION for Leave to File Brief of Amicus Curiae Arizona Mining Association in Support of Defendants' Opposition and Intervenor-Defendant's Response to Plaintiffs' Motion for Preliminary Injunction by ARIZONA MINING ASSOCIATION. (LaBianca, Margaret) (Entered: 05/16/2011)

05/16/2011	62	LODGED Proposed Brief of Amicus Curiae Arizona Mining Association in Support of Defendants' Opposition and Intervenor-Defendant's Response to Plaintiffs' Motion for Preliminary Injunction re: 61 MOTION for Leave to File Brief of Amicus Curiae Arizona Mining Association in Support of Defendants' Opposition and Intervenor-Defendant's Response to Plaintiffs' Motion for Preliminary Injunction. Document to be filed by Clerk if Motion to Leave to File or Amend is granted. Filed by ARIZONA MINING ASSOCIATION. (LaBianca, Margaret) (Entered: 05/16/2011)
05/16/2011	63	ORDER granting 52 Stipulation to Exceed Page Limit on Reply Brief and to Extend Time to File Reply: IT IS HEREBY ORDERED that the Consolidated Reply in Support of Plaintiffs' Motion for Preliminary Injunction (Doc. 58) is accepted by the Court for consideration. Signed by Senior Judge Frank R Zapata on 5/19/11. (KAH) (Entered: 05/16/2011)
05/18/2011	64	*RESPONSE in Opposition by Center for Biological Diversity, Farmers Investment Company, Farmers Water Company <i>Plaintiffs' Opposition to Amicus Curiae Arizona Mining Ass'n Motion for Leave to File Brief in Support of USFS and Rosemont Opposition to Plaintiffs' Motion for Preliminary Injunction</i> 61 . (Wolf, G) *Modified on 5/19/2011 from Petitioner's Brief to Respense in opposition (KAH). (Entered: 05/18/2011)
05/20/2011	65	ORDER re 37 MOTION for Preliminary Injunction filed by Center for Biological Diversity, Farmers Water Company, Farmers Investment Company, Save the Scenic Santa Ritas, Motion Hearing set for 6/27/2011 at 10:00AM before Senior Judge Frank R Zapata. Signed by Senior Judge Frank R Zapata on 5/19/11. (BAR) (Entered: 05/20/2011)
05/31/2011	66	REPLY to Response to Motion re 61 MOTION for Leave to File Brief of Amicus Curiae Arizona Mining Association in Support of Defendants' Opposition and Intervenor-Defendant's Response to Plaintiffs' Motion for Preliminary Injunction - <i>Reply in Support of the Arizona Mining Association's Motion for Leave to File an Amicus Curiae Brief</i> filed by ARIZONA MINING ASSOCIATION. (LaBianca, Margaret) (Entered: 05/31/2011)
06/06/2011	67	ORDER granting 61 Motion for Leave to File Brief of Amicus Curiae Arizona Mining Association in Support of Defendants' Opposition and Intervenor-Defendant's Response to Plaintiffs' Motion for Preliminary Injunction. The Arizona Mining Association is granted leave to appear as Amicus Curiae. Signed by Senior Judge Frank R Zapata on 6/3/11. (KAH) (Entered: 06/06/2011)
06/06/2011	68	BRIEF of Amicus Curiae Arizona Mining Association in Support of Defendants' Opposition and Intervenor-Defendant's Response to Plaintiffs' Motion for Preliminary Injunction by Amicus ARIZONA MINING ASSOCIATION. (KAH) (Entered: 06/06/2011)
06/16/2011	69	NOTICE of Appearance by G Van Velsor Wolf, Jr on behalf of Farmers Investment Company, Farmers Water Company (Wolf, G) (Entered: 06/16/2011)

06/17/2011	70	NOTICE re Notice of Filing Supplemental Exhibits by Center for Biological Diversity, Farmers Investment Company, Farmers Water Company re 58 Reply to Response to Motion <i>for Preliminary Injunction</i> . (Attachments: # 1 Exhibit)(Wolf, G) (Entered: 06/17/2011)
06/21/2011	71	MOTION for Leave to File BRIEF OF AMICUS CURIAE NORTHWEST MINING ASSOCIATION IN SUPPORT OF DEFENDANTS' OPPOSITION AND INTERVENOR-DEFENDANTS' RESPONSE TO MOTION FOR PRELIMINARY INJUNCTION. (KAH) (Entered: 06/21/2011)
06/21/2011	72	LODGED Proposed BRIEF OF AMICUS CURIAE NORTHWEST MINING ASSOCIATION IN SUPPORT OF DEFENDANTS' OPPOSITION AND INTERVENOR-DEFENDANTS' RESPONSE TO MOTION FOR PRELIMINARY INJUNCTION re: 71 MOTION for Leave to File BRIEF OF AMICUS CURIAE. Document to be filed by Clerk if Motion for Leave to File or Amend is granted. (KAH) (Entered: 06/21/2011)
06/21/2011	73	MOTION for Admission Pro Hac Vice as to attorney Russell O Stewart on behalf of Northwest Mining Association. (BAS) (Entered: 06/21/2011)
06/21/2011		PRO HAC VICE FEE PAID. \$ 50, receipt number PHX110918 as to Russell O Stewart. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (BAS) (Entered: 06/21/2011)
06/21/2011	74	ORDER pursuant to General Order 09-08 granting 73 Motion for Admission Pro Hac Vice. Per the Court's Administrative Policies and Procedures Manual, applicant has five (5) days in which to register as a user of the Electronic Filing System. Registration to be accomplished via the court's website at www.azd.uscourts.gov. (BAS)(This is a TEXT ENTRY ONLY. There is no.pdf document associated with this entry.) (Entered: 06/21/2011)
06/22/2011	75	DECLARATION of James Sturgess (Supplemental) re 44 Response to Motion, by Intervenor Defendant Rosemont Copper Company. (Attachments: # 1 Exhibit Exhbiit A & B)(James, Norman) (Entered: 06/22/2011)
06/23/2011	76	Petitioner's BRIEF by Farmers Investment Company, Farmers Water Company <i>Plaintiffs' Opposition to Supplemental Declaration of James Sturgess (Dkt. #75) in Support of Rosemont Copper Company's Response (Dkt. #44) to Plaintiffs' Motion for Preliminary Injunction (Dkt. #24)</i> . (Wolf, G) (Entered: 06/23/2011)
06/23/2011	77	MOTION for Admission Pro Hac Vice as to attorney Robert D Comer on behalf of Northwest Mining Association. (BAS) (Entered: 06/23/2011)

06/23/2011		PRO HAC VICE FEE PAID. \$ 50, receipt number PHX110968 as to Robert D Comer. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (BAS) (Entered: 06/23/2011)
06/23/2011	78	ORDER pursuant to General Order 09-08 granting 77 Motion for Admission Pro Hac Vice. Per the Court's Administrative Policies and Procedures Manual, applicant has five (5) days in which to register as a user of the Electronic Filing System. Registration to be accomplished via the court's website at www.azd.uscourts.gov. (BAS)(This is a TEXT ENTRY ONLY. There is no.pdf document associated with this entry.) (Entered: 06/23/2011)
06/24/2011	79	NOTICE re Notice of Errata by Farmers Investment Company, Farmers Water Company <i>re Plaintiffs' Motion for Preliminary Injunction (Dkt. #24)</i> . (Wolf, G) (Entered: 06/24/2011)
06/24/2011	80	ORDER denying 71 Motion for Leave to File Brief of Amicus Curiae Northwest Mining Association in Support of Defendants' Opposition and Intervenor-Defendants' Response to Motion for Preliminary Injunction. Signed by Senior Judge Frank R Zapata on 6/24/11.(KAH) (Entered: 06/24/2011)
06/27/2011	81	Proposed Pretrial Order Revised [<i>Proposed</i>] Order Granting Plaintiffs' Motion For Preliminary Injunction by Farmers Investment Company. (Willis, Jeffrey) (Entered: 06/27/2011)
06/27/2011	82	Minute Entry for proceedings held before Senior Judge Frank R Zapata. Pending before the Court is Plaintiffs' Motion for Preliminary Injunction. Parties argue their positions to the Court. Exhibits 1-24 marked and admitted. IT IS ORDERED taking under advisement 37 Motion for Preliminary Injunction. Formal Order to Follow. Present: Dinah Bear, Jeffrey Willis, G Van Velsor Wolf, Jr. for Farmers Water Company and Farmers Investment Company; Daniel Bensing for James Upchurch, Coronado National Forest; Norman D. James and Todd Wiley for Rosemont Copper Company; Nicholas Yost for Barrick North America Holdings Corporation. (Court Reporter Dianne Davenport.) This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (REC) (Entered: 06/27/2011)
06/27/2011	83	ORDER denying 37 Motion for Preliminary Injunction. Signed by Senior Judge Frank R Zapata on 6/27/11. (See attached PDF for complete information.)(KAH) (Entered: 06/27/2011)
06/29/2011	84	Corporate Disclosure Statement by Rosemont Copper Company identifying Corporate Parent Augusta Resource Corporation for Rosemont Copper Company.. (James, Norman) (Entered: 06/29/2011)
11/01/2011	85	*Joint MOTION for Entry of Scheduling Order by United States Forest Service, James Upchurch. (Attachments: # 1 Text of Proposed Order)(Bensing, Daniel) *Modified to add omitted text on 11/2/2011* (REW). (Entered: 11/01/2011)

11/01/2011	86	RESPONSE to Motion re 85 Joint MOTION <i>Rosemont Copper Company's Response to Joint Motion for Entry of a Scheduling Order and Request for Pretrial Conference</i> filed by Rosemont Copper Company. (Wiley, Todd) (Entered: 11/01/2011)
11/07/2011	87	*REPLY to Response to Motion re 85 Joint MOTION for Entry of Scheduling Order by Center for Biological Diversity, Farmers Investment Company, Farmers Water Company (Attachments: # 1 Exhibit)(Wolf, G) *Modified to correct event type on 11/9/2011 (SAT). (Entered: 11/07/2011)
11/08/2011	88	REPLY to Response to Motion re 85 Joint MOTION for Entry of Scheduling Order <i>Rosemont Copper Company's Reply in Support of Request for Pretrial Conference</i> filed by Rosemont Copper Company. (Wiley, Todd) (Entered: 11/08/2011)
11/08/2011	89	MOTION for Partial Summary Judgment by United States Forest Service, James Upchurch. (Attachments: # 1 Supplement, # 2 Supplement, # 3 Exhibit, # 4 Exhibit, # 5 Exhibit)(Bensing, Daniel) (Entered: 11/08/2011)
11/21/2011	90	ORDER: IT IS HEREBY ORDERED that the Federal Defendants' Motion for Summary Judgment as to Plaintiffs' Freedom of Information Act claim filed on November 8, 2011, is deemed to be filed in accordance with the agreement of the Plaintiffs and Federal Defendants; IT IS FURTHER ORDERED that Plaintiff Center for Biological Diversity (CBD) shall file its Opposition thereto and Cross Motion for Summary Judgment on Plaintiffs' Second Claim for Relief on or before December 8, 2011 and Federal Defendants shall file their Opposition to CBD's Motion and Reply in support of Federal Defendants' Motion on or before December 29, 2011. Signed by Senior Judge Frank R Zapata on 11/18/11. (See attached PDF for complete information.) (KAH) (Entered: 11/21/2011)
12/05/2011	91	*Joint MOTION for Extension of Time to File Response/Reply as to 89 MOTION for Partial Summary Judgment <i>and Plaintiffs' Cross-Motion for Summary Judgment on Plaintiffs' Second Claim for Relief</i> by Center for Biological Diversity, Farmers Investment Company, Farmers Water Company. (Attachments: # 1 Order)(Wolf, G) *Document not in compliance with L.R.Civ 7.1(c); attorney notified on 12/7/2011 (SAT). (Entered: 12/05/2011)
12/20/2011	92	Joint MOTION for Extension of Time to File Response/Reply as to 89 MOTION for Partial Summary Judgment <i>For Three Weeks</i> by Center for Biological Diversity, Farmers Investment Company, Farmers Water Company. (Attachments: # 1 Proposed Scheduling Order)(Wolf, G) (Entered: 12/20/2011)
12/23/2011	93	SCHEDULING ORDER: IT IS HEREBY ORDERED that the Plaintiffs shall file their Response to Federal Defendants' Motion for Summary Judgment (Doc. 89) and their Cross-Motion for Summary Judgment on Plaintiffs' Second Claim for Relief (Freedom of Information Act claim) on or before 1/13/12; IT IS FURTHER ORDERED that the Federal Defendants shall file their Reply to Plaintiffs' Response to their Motion for Summary Judgment and their Response to Plaintiffs' Cross-

		2/3/12. IT IS FURTHER ORDERED that Plaintiffs shall file their Reply to Federal Defendants' Response to Plaintiffs' Cross-Motion for Summary Judgment on Plaintiffs' Second Claim for Relief on or before 2/24/12. Signed by Senior Judge Frank R Zapata on 12/23/11. (KAH) (Entered: 12/23/2011)
01/26/2012	94	*STIPULATION of Dismissal <i>with Prejudice</i> by Center for Biological Diversity, Farmers Investment Company, Farmers Water Company, Save the Scenic Santa Ritas, United States Forest Service, James Upchurch, Rosemont Copper Company. (Attachments: # 1 Text of Proposed Order)(Wolf, G) *Modified to correct filers on 1/31/2012 (SAT). (Entered: 01/26/2012)
01/30/2012	95	ORDER DISMISSING CASE: IT IS HEREBY ORDERED that Plaintiffs' Complaint against the Federal Defendants and Intervenor-Defendant is DISMISSED with prejudice and that attorneys fees are awarded to be paid by Federal Defendants to Plaintiff Center for Biological Diversity in the amount of \$6,000.000. Signed by Senior Judge Frank R Zapata on 1/30/12. (KAH) (Entered: 01/30/2012)

PACER Service Center

Transaction Receipt

02/01/2012 06:34:28

PACER Login:	pb0232	Client Code:	foiaproj
Description:	Docket Report	Search Criteria:	4:11-cv-00094-FRZ
Billable Pages:	11	Cost:	0.88